

# EXHIBIT 2

1

1 SUPERIOR COURT OF THE STATE OF CALIFORNIA  
IN AND FOR THE COUNTY OF SAN FRANCISCO

2 \* \* \*

3 COMMUNITIES FOR A : CIVIL NO.  
4 BETTER ENVIRONMENT, a : 997013  
Cal i forni a Non-Profi t :  
5 Corporation, on behal f :  
of the General Public, :  
6 Pl ai nti ff, :  
-vs- :  
7 UNOCAL CORPORATION, a :  
Del aware corporation, :  
8 et al . , :  
Defendants. :  
9 \* \* \*

10 SUPERIOR COURT OF THE STATE OF CALIFORNIA  
IN AND FOR THE COUNTY OF SAN FRANCISCO

11 \* \* \*

12 SOUTH TAHOE PUBLIC : CIVIL NO.  
13 UTILITY DISTRICT, : 999128  
Pl ai nti ff, :  
14 -vs- :  
ATLANTIC RICHFIELD :  
15 COMPANY ("ARCO"); ARCO :  
CHEMI CAL COMPANY; :  
16 SHELL OIL COMPANY; :  
et al . , :  
17 Defendants. :  
\* \* \*

18 Tuesday, September 19, 2000

19 \* \* \*

20

21

22

23 ESQUIRE DEPOSITION SERVICES  
15th Floor  
1880 John F. Kennedy Boulevard  
24 Philadelphia, PA 19103  
(215) 988-9191  
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12

11: 13: 21 1 in the Tahoe case.

11: 13: 23 2 This deposition is also

11: 13: 25 3 being taken in CBE, and the

11: 13: 28 4 agreement in that case will bind

11: 13: 29 5 those parties.

11: 13: 31 6 MR. HOFFMAN: Okay.

11: 13: 32 7 MR. MILLER: I'm not party

11: 13: 37 8 to that agreement.

9 \* \* \*

10 EXAMINATION

11: 13: 39 11 \* \* \*

12 BY MR. MILLER:

11: 13: 40 13 Q. Could I have your name and

11: 13: 41 14 address, please?

11: 13: 42 15 A. My name's Gene Capaldi. My

11: 13: 44 16 address is 707 Malin Road, M-A-L-I-N,

11: 13: 49 17 Newtown, one word, Square, Pennsylvania

11: 13: 51 18 19073.

11: 13: 54 19 Q. Who is your current

11: 13: 54 20 employer?

11: 13: 55 21 A. I'm retired.

11: 13: 57 22 Q. And prior to your

11: 13: 59 23 retirement, who was your employer?

11: 14: 02 24 A. Lyondell Chemical company.

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EUGENE CAPALDI

13

11:14:04 1 Q. When did you retire from

11:14:05 2 Lyondell?

11:14:06 3 A. The end of July 1999.

11:14:13 4 Q. And for how many years did

11:14:14 5 you work for the company?

11:14:16 6 A. A little over 36 years.

11:14:19 7 Q. And of course when you first

11:14:21 8 went to work for the firm, what was it

11:14:23 9 known as?

11:14:24 10 A. Atlantic Refining.

11:14:28 11 Q. And what was your position

11:14:29 12 with them?

11:14:31 13 A. I was a research chemist.

11:14:37 14 Q. Could you briefly describe

11:14:38 15 your educational background after high

11:14:40 16 school for us, please?

11:14:42 17 A. Yes. I got my batch -- B.A.

11:14:45 18 from the University of Pennsylvania in

11:14:46 19 1959, my M.S. in organic chemistry from

11:14:52 20 the University of Delaware in 1961 and my

11:14:55 21 Ph.D. in organic chemistry from the

11:14:58 22 University of Delaware, 1964.

11:15:04 23 Q. And is that when you went to

11:15:07 24 work for Atlantic Refining?

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EUGENE CAPALDI

14

11: 15: 09 1 A. I started working for  
11: 15: 10 2 Atlantic Refining in September of 1963.

11: 15: 18 3 Q. And were you continuously  
11: 15: 20 4 employed by them through the date that  
11: 15: 21 5 you retired?

11: 15: 22 6 A. Yes, I was.

11: 15: 30 7 Q. When did you start your work  
11: 15: 31 8 with what was then known as ARCO Chemical  
11: 15: 36 9 Company on MTBE?

11: 15: 39 10 A. It was probably in the late  
11: 15: 41 11 '70s.

11: 15: 44 12 Q. And what type of work were  
11: 15: 45 13 you doing at that time, sir?

11: 15: 50 14 A. On the MTBE, I was -- my  
11: 15: 53 15 position was probably toxicology  
11: 15: 56 16 coordinator for the ARCO Chemical.

11: 16: 06 17 Q. Have -- did you receive any  
11: 16: 09 18 educational courses in the field of  
11: 16: 11 19 toxicology?

11: 16: 12 20 A. No.

11: 16: 15 21 Q. As I understand it, your  
11: 16: 17 22 educational background consists  
11: 16: 20 23 principally of organic chemistry; is that  
11: 16: 23 24 correct?

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